

Differentiation Treatment Of KBIHU According To The Law On Hajj And Umrah Management

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Abstract

The regulatory transformation of Hajj management in Indonesia through the enactment of Law Number 14 of 2025, amending Law Number 8 of 2019, has significantly impacted (KBIHU) as a strategic partners of the government. This study aims to analyze the differentiation of regulatory treatment for the word KBIHU under both legal regimes and to examine its managerial implications for institutional accountability and professionalism. Employing a qualitative comparative document analysis, this research focuses on Articles 52-56 of both laws to identify shifts in legal norms. The findings reveal a governance paradigm shift from a socio-religious partnership model to a more standardized, bureaucratic oversight system. Key changes include stricter accreditation requirements, digital supervision through the SERAMBI platform, an increase in the pilgrim-to-guide ratio from 1:135 to 1:151, and a shift in guide quota allocation from an automatic entitlement to a proposal-based mechanism dependent on competency selection. While the new regulation promotes transparency and professional standards, the increased workload per guide potentially risks reducing the quality of personalized guidance. Consequently, KBIHU is required to reposition its service strategies to remain adaptive within an increasingly regulated and modernized Hajj and Umrah management ecosystem.

Keywords

KBIHU; Hajj and Umrah; Legal Reform; Law No. 8/2019; Law No. 14/2025

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1. INTRODUCTION

Hajj and Umrah are essentially the means for Muslims to perform pilgrimage to the *Baitullah* (House of Allah) and the Holy Land. Every year, Muslims from all corners of the world gather to fulfill the Hajj pilgrimage (Salbila & Junita, 2024). Hajj and Umrah Guidance Groups (*Kelompok Bimbingan Ibadah Haji dan Umrah* or KBIHU), as socio-religious institutions, have obtained legal standing as authorized guidance providers through legislation. This role is further clarified through a dedicated structure within the new framework of the Ministry of Religious Affairs, supported by the KBIHU development subsidy under the Directorate of Hajj Guidance (Hafidh, 2021). In practice, pilgrims must master the science of *manasik* (pilgrimage rituals) to ensure that their worship aligns with Islamic



principles (Susilo & Syarifudin, 2023). These *manasik* sessions, comprising coaching and counseling, are provided by both the government and socio-religious institutions to equip prospective pilgrims with the knowledge and understanding of the rituals they will perform during the pilgrimage. (Purwito, Sobirin, & Fitri, 2022)

To support the implementation of Hajj within the country, various Islamic organizations and institutions provide pilgrimage guidance services, notably the Hajj and Umrah Guidance Groups (KBIHU) (Susilawati, Sarbini, & Setiawan, 2016). As official entities authorized by the Indonesian government, KBIHU plays a pivotal role in coaching and preparing prospective pilgrims to perform their worship optimally and in accordance with established regulations (Haidar, 2024). Law Number 8 of 2019 concerning the Management of Hajj and Umrah serves as the primary legal foundation for the governance of these pilgrimages. This Act provides the legal framework for the functions of coaching, ritual guidance, and pilgrim assistance, which have been the core roles of KBIHU in Hajj and Umrah management. (P. R. Indonesia, 2019)

Operationally, implementing regulations emphasize the obligations and procedures for KBIHU, including licensing requirements, ritual guidance standards, and responsibilities for assisting pilgrims both in Indonesia and Saudi Arabia (K. A. R. Indonesia, 2024b). These provisions position KBIHU as a vital partner to the government in preparing pilgrims to meet Sharia standards, health requirements, and administrative travel protocols (K. A. R. Indonesia, 2023). Policy developments have since progressed through a series of legislative revisions and amendments. A significant recent development is the enactment of Law Number 14 of 2025, which amends Law Number 8 of 2019. (Biro Hukum, Komunikasi Publik, dan Kerja Sama, 2025)

This latest policy change modifies specific articles to strengthen the regulation of KBIHU. For instance, the minimum ratio of pilgrims per guide has been increased to enhance guide accountability. Santoso and Kasanah (2023) emphasize the importance of the KBIHU legalization process through official licensing to ensure legal protection and bolster public trust (Kasanah, 2023). These changes introduce several new provisions regarding institutional structures, implementation models, and independent Umrah regulations. Consequently, these shifts have the potential to redefine the role and operational scope of KBIHU in the practice of coaching prospective pilgrims. (Hikmah, 2025)

While previous studies have highlighted the importance of KBIHU legalization, Alfian's (2023) normative study indicates that the implementation of Law No. 8/2019 faces various challenges, including a gap between legal provisions and field practices that impacts the quality of guidance and overall service (Alfian & Rafianti, 2023). Legal policy analysis by other researchers affirms that Law No. 8/2019 was established in response to past cases of pilgrim losses; however, its implementation requires stronger legal protection mechanisms and oversight of Umrah organizers to guarantee service certainty

(Putri, 2022). Khan & Rugaiyah (2025), in a case study of Hajj travel agencies, identified implementation gaps regarding the use of non-Hajj visas, demonstrating that Law No. 8/2019 has not been fully effective or consistently complied with in operational Hajj practices. (Khan & Rugaiyah, 2025)

Notably, there is a research gap regarding how the regulatory transition toward Law No. 14 of 2025 alters KBIHU's accountability structure and institutional relationship patterns. Academically, issues arise when regulatory changes intended to strengthen oversight risk limit the accessibility of local institutions in providing guidance. The discourse on whether this tightening of requirements is purely for quality improvement or a form of excessive bureaucratization of socio-religious institutions remains largely unexplored.

Therefore, this research first aims to fill this gap by conducting a comparative analysis of the provisions in Articles 52-56 between Law No. 8/2019 and Law No. 14/2025. The second objective is to identify the regulatory implications for KBIHU's functions, obligations, and accountability. The scientific contribution of this study lies in its critical analysis of how policy changes affect KBIHU's operational functions and accountability standards. This study is essential to ensure that policy transformations remain grounded in protecting pilgrims' rights without eroding community participation in the management of Hajj and Umrah. Based on this framework, this research will analyze the provisions of Laws Number 8 of 2019 and 14 of 2025 concerning KBIHU, specifically Articles 52-56.

2. METHOD

This research employs a qualitative approach with a library research design, in which the researcher gathers relevant information and data from various sources. These sources comprise reference books, prior similar research, articles, records, and journals on the provisions of the Hajj and Umrah Guidance Groups (KBIHU), specifically Articles 52–56 of Law No. 8 of 2019 and Law No. 14 of 2025. The analytical focus is on Articles 52-56 of both Acts. The justification for selecting this cluster of articles is that Articles 52–56 constitute the core regulations governing KBIHU's existence, encompassing licensing, guidance standards, accreditation, and the obligation to assist pilgrims. Substantive changes within these articles are regarded as primary indicators of shifts in government policy concerning the role of socio-religious institutions within the Hajj ecosystem.

The data collection process followed a structured, systematic series of steps to gather, process, and draw conclusions from the data (Sari & Asmendri, 2020). The technique employed in this research is a comparative study, which involves comparing one object with another, such as figures, institutions, management, or schools of thought (W. P. Zayu, H. Herman, & G. Vitri, 2023). This comparative technique is used to identify differences and shifts in legal norms between the two laws, particularly in the roles, functions, and obligations of KBIHU. This process involved reading, categorizing, and

comparing the provisions article by article (Hamid, n.d.). Each document was analyzed to compare substantive changes in Articles 52–56 of Law No. 8 of 2019 and Law No. 14 of 2025, and to contrast the former and current Hajj and Umrah management laws regarding KBIHU regulations.

Furthermore, this research utilizes the document analysis method to compare the treatment of KBIHU under Law No. 8 of 2019 and Law No. 14 of 2025. The analysis involves organizing documents, thematic coding to parse the data, interpreting the meaning of norms, and drawing conclusions through critical and analytical assessment. The primary theme examined in the document analysis is the functional transformation of KBIHU. This method allows for limited replication by other researchers using the same objects and contexts, aligning with the characteristics of document-based qualitative research (Bowen, 1997). Data sources were derived from the former and current Hajj and Umrah Management Acts, as well as relevant articles and websites. This study aims to analyze how the policies in both laws influence the standards, quality, and legal protection of Hajj and Umrah pilgrims through KBIHU services.

3. FINDINGS AND DISCUSSION

3.1. Result

The Hajj pilgrimage requires procedures that align with Islamic teachings, encompassing requirements, pillars, mandatory acts, and other provisions related to the series of Hajj and Umrah rituals (Natasya, Firmansyah, Nisa, Labib, & Lusida, 2026). Consequently, the existence of Hajj and Umrah Guidance Groups (KBIHU) is essential to Hajj management, ensuring that the entire process is orderly and well-controlled, from the pilgrims' departure to their return home (Hidayah, Daud, & Puat, 2023). Pursuant to Article 33, Paragraph 1 of Law No. 8 of 2019, KBIHU is legally recognized as a government partner in providing guidance and *manasik* (ritual) training for regular Hajj pilgrims, stipulating that the Minister of Religious Affairs may involve KBIHU in such activities. However, KBIHU's strategic position has entered a new phase as the government undertakes regulatory reforms to enhance oversight and accountability in pilgrimage management.

This policy transformation is marked by the transition from Law No. 8 of 2019 to Law No. 14 of 2025, which fundamentally alters the legal treatment of KBIHU, particularly through the updated norms contained in Articles 52 to 56. These legislative changes reflect the government's significant attention to Hajj and Umrah management in Indonesia. The shift from the previous regulations in Law No. 8 of 2019 to the updated framework in Law No. 14 of 2025 inevitably transforms the older regulations, especially concerning the treatment of KBIHU under Articles 52–56 of Law No. 14 of 2025. (Rakhmadi, 2025)

3.1.1. Treatment of KBIHU under Law No. 8 of 2019

Article 52 of Law No. 8 of 2019 asserts that KBIHU must possess a permit from the Minister of Religious Affairs to conduct Hajj guidance and assistance activities. This permit is not granted automatically but through a process of verification and fulfillment of established administrative, technical, and institutional requirements. Once the permit is issued, KBIHU is entitled to perform guidance and assistance as long as it remains active in its duties, with the Ministry of Religious Affairs conducting periodic evaluations. This licensing requirement serves as state recognition of KBIHU's existence, ensuring that only registered and licensed entities can legally provide guidance services. According to research by Santoso and Kasanah, an official KBIHU has obtained a permit from the Ministry of Religious Affairs. (Kasanah, 2023)

Article 53 explains that KBIHU's primary duty is to provide Hajj guidance and assistance in accordance with government-established standards. These standards encompass guidance materials, delivery methods, and the quality of instructors, all of which must refer to the official guidelines of the Ministry of Religious Affairs. Furthermore, KBIHU is permitted to serve only pilgrims who voluntarily seek its guidance services, thereby avoiding monopolistic practices or coercion. Guidance operations require funding; KBIHU collects operational costs from each prospective pilgrim in accordance with provisions set by the Minister of Religious Affairs.

The Minister of Religious Affairs is authorized to conduct accreditations for KBIHU every three years. This accreditation process aims to assess KBIHU's performance, professionalism, and service quality. The Minister sets accreditation standards, and the results are publicly announced through both electronic and non-electronic media (Nurjannah, 2023). This system allows prospective pilgrims to choose KBIHU entities that are verified and hold a good reputation, as stipulated in Article 54 of Law No. 8/2019. (Yuliyanti, 2023)

Subsequent treatment in Article 55 mentions that all technical provisions regarding licensing, evaluation, standardization, and accreditation are further regulated through the Minister of Religious Affairs Regulation (PMA) No. 7 of 2023 concerning Hajj and Umrah Guidance Groups (Menteri Agama Republik Indonesia, 2023). This regulation serves as the technical guideline for KBIHU operations across Indonesia, covering licensing mechanisms, reporting procedures, and oversight. Finally, Article 56 regulates KBIHU's right to obtain a guide quota from the Minister. Each KBIHU is entitled to one guide quota for every 135 pilgrims. These guides must pass official selection and meet national competency standards. If the number of pilgrims is insufficient, KBIHU may merge with other institutions to meet the minimum requirements. The KBIHU bears all operational costs for these guides.

3.1.2. Treatment of KBIHU under Law No. 14 of 2025

Article 52 of Law No. 14 of 2025 reinforces that every KBIHU must hold an operational permit for Hajj and Umrah guidance and assistance from the Minister of Religious Affairs. By adding the term “Umrah,” the law recognizes KBIHU’s dual role. Semantically, this indicates that following the regulatory shift, KBIHU has become more open to Umrah-related activities in response to public needs (Alwi, n.d.). This suggests that Law No. 14/2025 expands KBIHU's formal authority without abandoning its core functions. Licensing requirements remain mandatory, albeit with an expanded scope. Permits are granted upon fulfillment of administrative and technical requirements, such as legal entity status, certified instructors, and adequate infrastructure. The permit remains valid as long as KBIHU continues its activities, and the Minister is obligated to conduct periodic evaluations. (P. R. Indonesia, 2025)

KBIHU is tasked with guiding Hajj and Umrah in accordance with the standards set by the Minister, covering the *manasik* curriculum, training methods, and instructor competencies. KBIHU is also restricted to providing services only to pilgrims who explicitly require them (Tholabi, 2024). The Minister has the authority to conduct regular oversight of KBIHU's activities to ensure they align with Sharia principles and government regulations (Ramadhan, 2024). In other words, the government has strengthened institutional control. Law No. 14/2025 aims to ensure that KBIHU remains compliant with prevailing regulations, as stipulated in Article 53.

Under Article 54, KBIHU must undergo accreditation conducted by the Minister every three years. This mandatory system assesses the institution's performance, competence, and service quality. A notable shift in Law No. 14/2025 is that accreditation results are now published through the "Ministry of Religious Affairs Information System." While Law No. 8/2019 required publication via electronic and non-electronic media, the new law emphasizes a centralized digital platform. This reflects a trend toward digitalization and transparency centered on official government platforms, prioritizing accountability through information technology. Article 55 reaffirms that all matters concerning licensing, evaluation, and accreditation are further governed by the Minister of Religious Affairs Regulation (PMA) No. 7 of 2023. (Menteri Agama Republik Indonesia, 2023)

Finally, Article 56 involves KBIHU in Hajj assistance and grants them the right to propose a guide quota to the Minister, provided the institution meets specific criteria. KBIHU must have at least 151 pilgrims to propose a guide who has passed selection and met competency standards. If the number is below 151, KBIHU may merge with another group. All costs for these guides remain the responsibility of KBIHU and are not to be charged to the pilgrims. This indicates that Law No. 14/2025 demands more active involvement in the quota allocation process, which now requires a formal application, and raises the minimum quota threshold. This numerical and procedural change aims to align the scale of guidance with larger capacities, effectively tightening quota requirements while maintaining

proportional workloads.

3.2. Discussion

3.2.1. Differentiation of KBIHU Treatment: Former vs. Current Legislation

This study demonstrates significant shifts in the regulation and treatment of Hajj and Umrah Guidance Groups (KBIHU) between Law No. 8 of 2019 and Law No. 14 of 2025. Under Law No. 8 of 2019, KBIHU was positioned as a strategic partner to the government in providing guidance and *manasik* coaching for regular pilgrims, as stipulated in Article 33, Paragraph (1), which states that “the Minister may involve KBIHU in the implementation of Hajj *manasik* guidance.” (P. R. Indonesia, 2019). This recognition conferred institutional legitimacy specifically on KBIHU, allowing it to participate directly in the development of prospective pilgrims.

However, following the enactment of Law No. 14 of 2025, the status of KBIHU transformed. This new regulation expands the participatory space for pilgrimage organizers, including the introduction of “independent Umrah” (*umrah mandiri*), which allows pilgrims to perform the ritual without direct assistance from specific institutions (P. R. Indonesia, 2025). Through this policy, the government has opened the door for various parties (including private entities and religious educational institutions) to provide guidance services. While KBIHU remains a government partner, the Act no longer confers exclusive privileges. Instead, the legal treatment of KBIHU is now directed toward strengthening accreditation, professionalism, and institutional transparency. (H. Indonesia, 2025)

The independent Umrah policy provides options for pilgrims to travel without going through a PPIU (Umrah Travel Organizer) or specific institutional assistants. Nevertheless, this option necessitates technical regulations to ensure that Sharia standards, safety, and pilgrim protection are maintained (Sulistiawati et al., 2026). The provisions regarding independent Umrah require verification mechanisms, administrative prerequisites, and mandatory pre-departure education. This ensures that independence does not weaken Manasik Coaching's accountability; press reports and stakeholder analyses confirm that, even with freedom, independent pilgrims must still be certified as having passed state-recognized *Manasik* modules. (DetikTravel, 2025)

In the former system, KBIHU held three primary roles: providing *manasik* coaching, assisting pilgrims during the pilgrimage, and performing post-Hajj evaluations. Article 53 of Law No. 8 of 2019 lacked specific oversight provisions for KBIHU's guidance activities. Conversely, the current Law stipulates that the Minister shall conduct periodic supervision of KBIHU's guidance and assistance functions. Under Law No. 14 of 2025, these roles are not abolished; rather, they are expanded and strictly regulated. Currently, every KBIHU is required to have certified instructors, digital reporting systems, and institutional accreditation. The Directorate General of Hajj and Umrah Management at the Ministry of Religious Affairs emphasizes that instructor certification and institutional accreditation are vital to

guarantee the quality and accountability of guidance, including for independent Umrah pilgrims.

Furthermore, Law No. 14 of 2025 mandates that KBIHU instructors hold national certification and that the institution be officially accredited by the Ministry (P. R. Indonesia, 2025). An amendment to Article 54, Paragraph (5) requires the Minister to publish KBIHU accreditation results to the public via the Ministry's digital information system. Previously, under Law No. 8 of 2019, such results were published on electronic or non-electronic media. This regulation reinforces KBIHU's position as a professional body rather than merely a socio-religious institution. Additionally, the implementation of digital reporting serves as a key indicator of transparency. The Directorate General has introduced a digital service innovation for KBIHU named SERAMBI (KBIHU Information System), designed to streamline permit applications, accreditation, monitoring, and other services. (K. A. R. Indonesia, 2024a)

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Table 1. Comparison of Articles 52–56 of Law No. 8 of 2019 and Law No. 14 of 2025

No	Aspect	Law No.8/2019	Law No.14/2025
	Licensing for Guidance and Assistance Services	Permits are restricted to Hajj pilgrimage services only.	Permits encompass both Hajj and Umrah pilgrimage services.
	Periodic Supervision of KBIHU by the Minister	Not explicitly stipulated in the Act.	Mandatory periodic supervision by the Minister (as stipulated in Article 53, Paragraph 3).
	Scope of Guidance and Assistance Provided by KBIHU	Exclusively providing guidance and assistance for Hajj pilgrims.	Provision of guidance and assistance for both Hajj and Umrah pilgrims.
	Accreditation	Conducted every three	Conducted every three

	Procedures and Public Disclosure of Results	years; results are disclosed via electronic and non-electronic media.	years; results must be published via the Ministry's information system (ensuring greater transparency).
	Pilgrim-to-Guide Ratio	Minimum of 135 pilgrims (per guide).	Minimum of 151 pilgrims (per guide).
	Guide Nomination and Proposal Mechanism	Not explicitly regulated in the Act.	Applicable only when KBIHU is formally involved in providing Hajj assistance.

3.2.2. Analysis of Implications and Regulatory Interpretation: A Hajj Governance Review

The regulatory transformation from Law No. 8/2019 to Law No. 14/2025 marks a paradigm shift from a socio-religious partnership model to a bureaucratic, standardized governance model. In the previous Law, KBIHU was viewed as a government partner operating on a voluntary, service-oriented basis. However, in the latest Law, KBIHU is constructed as a professional service unit bearing formal public responsibility. From a management perspective, strengthening Articles 52–56 is not merely administrative tidying; it is a governmental effort to consolidate Hajj service standards under a single, centralized command. This indicates that the state intends to ensure that every pilgrim receives the same level of guidance, regardless of their chosen KBIHU.

Furthermore, the mandatory accreditation and national certification for instructors serve as "quality control" instruments. This policy aims to eliminate the service quality gap between different KBIHU entities. However, from an organizational management standpoint, these increasingly stringent requirements may pose a significant challenge for smaller KBIHUs with limited human resources. This presents a risk of inequality, where well-capitalized KBIHUs may become more dominant while local, community-based KBIHUs struggle to meet technical standards. The government is effectively applying performance accountability principles, where an institution's operational permit depends heavily on certification scores and ministerial audits.

The use of technology through the SERAMBI platform is a crucial step in digital management. This system serves as a direct monitoring tool, enabling the Ministry to track KBIHU performance in real time. With SERAMBI, transparency (a pillar of good governance) can be realized as all data, from registration to activity reports, is stored digitally. This system effectively shifts the "burden of proof" for performance to KBIHU management; inactive institutions that fail to update their data will be deemed unprofessional. This digitalization forces KBIHU administrators to transform into technologically proficient organizations to maintain their operational licenses.

The analysis of the amendment to Article 56, increasing the ratio to 151 pilgrims (Muntaha, 2026), and the shift from "obtaining a quota" to "proposing a quota" reflect the government's operational efficiency strategy. The change in diction to "proposing" is substantive, as it gives the government full authority to select qualified assistants based on competency rather than routine allocation. This policy requires KBIHU to compete fairly by ensuring the quality of its instructors. However, a critical note remains: increasing the number of pilgrims per guide risks reducing the personal attention they receive, a historical hallmark of KBIHU service compared to government officials.

Finally, the emergence of independent Umrah regulations in Law No. 14 of 2025 is a response to changing market behavior in the digital era. Although the state provides freedom for independent travel, it mandates clear *manasik* educational standards. The long-term implication is that KBIHU must evolve its service strategy. KBIHU can no longer rely solely on physical assistance during travel; it must position itself as a credible center for ritual literacy and education. This latest regulation essentially drives KBIHU to become a more professional and adaptive religious consultancy institution.

4. CONCLUSION

This research confirms that the differentiation of treatment toward Hajj and Umrah Guidance Groups (KBIHU) between Law Number 8 of 2019 and Law Number 14 of 2025 reflects the direction of Hajj and Umrah management reforms in Indonesia. The primary findings indicate a regulatory paradigm shift from an emphasis on the strategic partnership between the state and KBIHU toward a strengthening of professionalism, standardization, institutional accreditation, and digitalization-based transparency. These changes do not eliminate the role of KBIHU but rather reposition it as an institution required to meet stricter competency and accountability standards within the Hajj and Umrah implementation ecosystem.

Theoretically, the results of this study enrich the field of religious administrative law by demonstrating how regulatory changes are used as state instruments to balance the role of religious civil society with the need for public oversight. Law No. 14 of 2025 reflects a more modern regulatory approach, where institutional legitimacy is based not only on normative recognition but also on performance, certification, and information disclosure. These findings reinforce literature emphasizing the importance of good governance in the management of religion-based public services.

From a practical perspective, this differentiated treatment directly impacts KBIHU's internal governance, particularly in fulfilling licensing requirements, increasing the capacity of certified instructors, and adapting to digital reporting and accreditation systems. The increased minimum ratio of pilgrims per guide and the procedural shift from the "right to obtain" to the "right to propose" a quota demand that KBIHU operate more efficiently and professionally. Meanwhile, the recognition of

independent Umrah expands pilgrims' choices while simultaneously reinforcing the need to protect the quality of guidance through state regulation and supervision.

From a policy perspective, this research demonstrates that Law No. 14 of 2025 is designed to address the increasingly complex dynamics of Hajj and Umrah management without neglecting the principle of pilgrim protection (DA, 2025). This policy indicates a state commitment to building a management system that is more transparent, inclusive, and adaptive to technological developments. Therefore, the consistent implementation of derivative regulations and continuous oversight are key to optimally achieving regulatory goals. Future research should focus on empirical studies of the implementation of the new provisions of Law No. 14 of 2025 at the KBIHU operational level, including their impact on service quality and pilgrim satisfaction. Such an approach is expected to deepen the understanding of the effectiveness of regulatory reform and provide data-driven input for the future refinement of Hajj and Umrah implementation policies.

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